

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2003:

Present

Vote

James S. Burgett, Chairman
Thomas G. Shepperd, Jr., Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Donald E. Wiggins

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON AND
TAKE CERTAIN LANDS IN CONNECTION WITH THE DEVELOPMENT
OF THE YORKTOWN WATERFRONT

WHEREAS, it is necessary to obtain land contained within a vacated portion of Martiau Street, in Yorktown, in connection with the construction of a public parking facility; and

WHEREAS, the County is unable to determine the identity of the owners of the property and therefore is unable to obtain from the owners of such property clear title to the interests in real estate necessary, or any agreement as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by AES Consulting Engineers and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1904, § 15.2-1905 (E) and § 25-232.01, of the Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for any authorized public undertaking.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of _____, 2003, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare, and for the timely comple-

tion of the proposed parking facility, for the County, its officers, employees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plats attached to the Report of the County Attorney dated December 17, 2002, and incorporated herein by this reference.

Unopened portion of
Martiau Street, adjacent
to York County Tax Map
Parcels 18A-1-7B, 18A-
1-146, 18A-1-147

All that property lying within a portion of
Martiau Street and shown as "Portion of
Martiau Street Hereby Voided" on a plat en-
titled, "Plat Showing a Portion of Martiau
Street to be Vacated," dated December 5,
2002, prepared by AES Consulting Engi-
neers.
Value offered to Owner: \$9,900.00.

BE IT STILL FURTHER RESOLVED that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute certificates to be recorded in the Clerk's Office of the Circuit Court for York County, certifying the amounts set forth above as the fair value, and damages, if any, of the interests to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.